

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SSA COOPER, LLC,

Plaintiff,

v.

M/V WINTERSET, Official No. 1682,
her engines, machinery, gear, tackle,
equipment, appurtenances, furnishings, etc.,

Defendant.

IN ADMIRALTY

NO.

**MOTION FOR ORDER
ALLOWING MOVEMENT
OF THE VESSEL**

03 12361 EFH

Plaintiff, having filed its Verified Complaint against defendants and Motion for Order Directing Clerk to Issue Warrant of Arrest of the M/V WINTERSET, now moves for an order permitting movement of the M/V WINTERSET while it is in the custody of the U.S. Marshal or substitute custodian.

The M/V WINTERSET is anticipated to arrive at the Somerset Power Plant, Somerset, Massachusetts, on Monday, November 24, 2003. It may be necessary to move the vessel from its anticipated berth to other suitable berths and/or anchorage in the District of Massachusetts so as not to interfere with the discharge of the cargo and/or the movement of other vessels while the M/V WINTERSET is in the custody of the U.S. Marshal or substitute custodian. Plaintiff respectfully requests entry of an order allowing the vessel to move between berths or anchorages while under arrest.

Plaintiff further requests that any crew living aboard the M/V WINTERSET be permitted to remain aboard pending further order of the Court.

In consideration of the U.S. Marshal's consent to allow movement of the vessel, plaintiff agrees to release the United States and the U.S. Marshal from any and all liability and responsibility arising out of the movement of the M/V WINTERSET, and plaintiff further agrees


to indemnify and hold the United States and the U.S. Marshal harmless from any and all claims whatsoever arising out of the U.S. Marshal's or substitute custodian's movement of the vessel.

DATED this 24th day of November, 2003.

Respectfully submitted,

SSA COOPER, LLC

By its attorneys,


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